

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicant: | Kenneth T. Heruth; Keith A. Miesel | Confirmation No. | 1024 |
| Serial No.: | 10/826,925 | Filed: | April 15, 2004 |
| Examiner: | Patricia C. Mallari | Group Art Unit: | 3735 |
| Docket No.: | 1023-350US01 | Customer No.: | 28863 |
| Title: | COLLECTING SLEEP QUALITY INFORMATION VIA A MEDICAL DEVICE | | |

CERTIFICATE UNDER 37 CFR 1.8 I hereby certify that this correspondence is being transmitted via the United States Patent and Trademark Office electronic filing system on January 15, 2009.

By: Shirley A. Befach
Name: Shirley A. Befach

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

Applicant submits the references listed on the attached form PTO-1449. Under 37 C.F.R. 1.97(e)(2), no item of information contained in this Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the under-signed, no item of information contained in this Supplemental Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three (3) months prior to the filing of this Supplemental Information Disclosure Statement

Applicant has enclosed copies of each article cited.

No fee is believed due. Please apply any deficiencies or credits to Deposit Account No. 50-1778.

Respectfully submitted,

Date: 1-15-09

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